

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

BRC RUBBER & PLASTICS, INC.,)
Plaintiff,)
v.)
CONTINENTAL CARBON COMPANY,)
Defendant.)
CAUSE NO. 1:11-CV-190

OPINION AND ORDER

Before the Court is a Joint Motion for Court's Entry of Stipulated Protective Order seeking approval of a proposed protective order. (Docket # 50.) As the proposed order is lacking in one respect, it will be DENIED.

Federal Rule of Civil Procedure 26(c)(7) allows the Court to enter a protective order for good cause shown. *See Citizens First Nat'l Bank of Princeton v. Cincinnati Ins. Co.*, 178 F.3d 943, 946 (7th Cir. 1999). And the Seventh Circuit Court of Appeals has repeatedly held that overly inclusive protective orders are invalid. *See id.* at 945.

Paragraph 15 of the proposed order is deficient in that it allows the filing of entire documents under seal when any “Confidential” or “Highly Confidential—Attorney’s Eyes Only Material” is “embodied in [the] document, or attachment thereto.” Although a method of redaction is incorporated in paragraph 11 of the proposed order, it does not serve to limit the overly inclusive language of paragraph 15. *See id.* (stating that an order sealing documents containing confidential information is overly broad because a document containing confidential information may also contain material that is not confidential, in which case a party’s interest in maintaining the confidential information would be adequately protected by redacting only

portions of the document).

For this reason, the Court hereby DENIES the Join Motion for Court's Entry of Stipulated Protective Order. (Docket # 50.) Of course, the parties may submit a revised protective order that cures this deficiency.

SO ORDERED.

Enter for this 9th day of November, 2012.

S/ Roger B. Cosby
Roger B. Cosby,
United States Magistrate Judge